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01017/36524A

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (currently amended) An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:
  - (a) the nucleotide sequence set forth in SEQ ID NO: 1;
  - (b) ~~the h2520-59 encoding portion of SEQ ID NO: 1~~ a polynucleotide comprising nucleotides 49-1122 of SEQ ID NO 1;
  - (c) a nucleotide sequence encoding the polypeptide set forth in SEQ ID NO: 2; and
  - (d) a nucleotide sequence complementary to any of (a)-(c).
- 2-3. (canceled)
4. (original) A vector comprising the nucleic acid molecule of claim 1.
5. (original) A host cell comprising the vector of claim 4.
- 6-7. (canceled)
8. (previously presented) A process of producing an h2520-59 polypeptide comprising culturing the host cell of claim 5 under suitable conditions to express the polypeptide, and optionally isolating the polypeptide from the culture.
9. (canceled)
10. (original) The process of claim 8, wherein the nucleic acid molecule comprises promoter DNA other than the promoter DNA for the native h2520-59 polypeptide operatively linked to the nucleotide sequence encoding the h2520-59 polypeptide.
- 11-52. (canceled)
53. (original) A composition comprising a nucleic acid molecule of claim 1 and a pharmaceutically acceptable formulation agent.
54. (original) The composition of claim 53 wherein said nucleic acid molecule is contained in a viral vector.

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55. (previously presented) A viral vector comprising a nucleic acid molecule of claim 1.

56-61. (canceled)

62. (currently amended) A method of diagnosing a pathological condition or a susceptibility to a pathological condition in a subject caused by or resulting from ~~abnormal levels~~ an increased level of expression of an h2520-59 polynucleotide comprising:

(a) determining the presence or amount of expression of the nucleic acid molecule of claim 1 in a sample; and

(b) comparing the level of h2520-59 polynucleotide expression in a biological, tissue or cellular sample from normal subjects or the subject at a different time, wherein susceptibility to a pathological condition is based on the presence or amount an increased level of expression of the polynucleotide.

63-67. (canceled)

68. (previously presented) A diagnostic reagent comprising a detectably labeled polynucleotide encoding the amino acid sequence set forth in SEQ ID NO: 2.

69. (original) The diagnostic reagent of claim 68, wherein said labeled polynucleotide is a first-strand cDNA.

70. (currently amended) A method for detecting the presence of an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide in a biological sample comprising the steps of:

(a) providing a biological sample suspected of containing an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide;

(b) contacting the biological sample with a diagnostic reagent according to claim 68 under conditions wherein the diagnostic reagent will hybridize with an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide contained in said biological sample; and

(c) detecting the presence of hybridization between an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide in the biological sample and the diagnostic reagent; and

(d) comparing the level of hybridization between the biological sample and diagnostic reagent with the level of hybridization between a known concentration of an h2520-59 a nucleic acid molecule and the diagnostic reagent.

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71. (currently amended) A method for detecting a change in expression of a the presence of an h2520-59 nucleic acid molecule encoding an h2520-59 polypeptide in a tissue or cellular biological sample comprising the steps of:

(a) providing a tissue or cellular biological sample suspected of containing an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide;

(b) contacting the tissue or cellular biological sample with a diagnostic reagent according to claim 68 under conditions wherein the diagnostic reagent will hybridize with an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide;

(c) detecting hybridization between an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide in the tissue or cellular biological sample and the diagnostic reagent; and

(d) comparing the level of hybridization between the tissue or cellular biological sample and diagnostic reagent with the level of hybridization between a known concentration of an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide and the diagnostic reagent.

72. (withdrawn) The method of claim 70 or 71 wherein said nucleic acid molecule is DNA.

73. (withdrawn) The method of claim 70 or 71 wherein said nucleic acid molecule is RNA.

74. (canceled)

75. (original) A polynucleotide according to claim 1 attached to a solid support.

76. (original) An array of polynucleotides comprising at least one polynucleotide according to claim 1.

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1. (currently amended) An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:
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  - (b) ~~the h2520-59 encoding portion of SEQ ID NO: 1 a polynucleotide comprising nucleotides 49-1122 of SEQ ID NO 1;~~
  - (c) a nucleotide sequence encoding the polypeptide set forth in SEQ ID NO: 2; and
  - (d) a nucleotide sequence complementary to any of (a)-(c).
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4. (original) A vector comprising the nucleic acid molecule of claim 1.
5. (original) A host cell comprising the vector of claim 4.
- 6-7. (canceled)
8. (previously presented) A process of producing an h2520-59 polypeptide comprising culturing the host cell of claim 5 under suitable conditions to express the polypeptide, and optionally isolating the polypeptide from the culture.
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10. (original) The process of claim 8, wherein the nucleic acid molecule comprises promoter DNA other than the promoter DNA for the native h2520-59 polypeptide operatively linked to the nucleotide sequence encoding the h2520-59 polypeptide.
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53. (original) A composition comprising a nucleic acid molecule of claim 1 and a pharmaceutically acceptable formulation agent.
54. (original) The composition of claim 53 wherein said nucleic acid molecule is contained in a viral vector.

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55. (previously presented) A viral vector comprising a nucleic acid molecule of claim 1.

56-61. (canceled)

62. (currently amended) A method of diagnosing a pathological condition or a susceptibility to a pathological condition in a subject caused by or resulting from ~~abnormal levels~~ an increased level of expression of an h2520-59 polynucleotide comprising:

(a) determining the presence or amount of expression of the nucleic acid molecule of claim 1 in a sample; and

(b) comparing the level of h2520-59 polynucleotide expression in a biological, tissue or cellular sample from normal subjects or the subject at a different time, wherein susceptibility to a pathological condition is based on ~~the presence or amount~~ an increased level of expression of the polynucleotide.

63-67. (canceled)

68. (previously presented) A diagnostic reagent comprising a detectably labeled polynucleotide encoding the amino acid sequence set forth in SEQ ID NO: 2.

69. (original) The diagnostic reagent of claim 68, wherein said labeled polynucleotide is a first-strand cDNA.

70. (currently amended) A method for detecting the presence of ~~an h2520-59 a~~ nucleic acid molecule encoding an h2520-59 polypeptide in a biological sample comprising the steps of:

(a) providing a biological sample suspected of containing ~~an h2520-59 a~~ nucleic acid molecule encoding an h2520-59 polypeptide;

(b) contacting the biological sample with a diagnostic reagent according to claim 68 under conditions wherein the diagnostic reagent will hybridize with ~~an h2520-59 a~~ nucleic acid molecule encoding an h2520-59 polypeptide contained in said biological sample; and

(c) detecting the presence of hybridization between ~~an h2520-59 a~~ nucleic acid molecule encoding an h2520-59 polypeptide in the biological sample and the diagnostic reagent; and

(d) ~~comparing the level of hybridization between the biological sample and diagnostic reagent with the level of hybridization between a known concentration of an h2520-59 a nucleic acid molecule and the diagnostic reagent.~~

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71. (currently amended) A method for detecting a change in expression of a the presence of an h2520-59 nucleic acid molecule encoding an h2520-59 polypeptide in a tissue or cellular biological sample comprising the steps of:

(a) providing a tissue or cellular biological sample suspected of containing an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide;

(b) contacting the tissue or cellular biological sample with a diagnostic reagent according to claim 68 under conditions wherein the diagnostic reagent will hybridize with an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide;

(c) detecting hybridization between an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide in the tissue or cellular biological sample and the diagnostic reagent; and

(d) comparing the level of hybridization between the tissue or cellular biological sample and diagnostic reagent with the level of hybridization between a known concentration of an h2520-59 a nucleic acid molecule encoding an h2520-59 polypeptide and the diagnostic reagent.

72. (withdrawn) The method of claim 70 or 71 wherein said nucleic acid molecule is DNA.

73. (withdrawn) The method of claim 70 or 71 wherein said nucleic acid molecule is RNA.

74. (canceled)

75. (original) A polynucleotide according to claim 1 attached to a solid support.

76. (original) An array of polynucleotides comprising at least one polynucleotide according to claim 1.